

**AN ORDINANCE
BY COUNCILMEMBER LEE MORRIS**

**AN ORDINANCE TO APPROVE A FORCE MAIN IN THE STRATFORD ROAD
RIGHT-OF-WAY AND A SEWER CONNECTION TO A MANHOLE NEAR THE
INTERSECTION OF PEACHTREE ROAD AND STRATFORD ROAD**

WHEREAS, Ordinance 96-O-1147 (Z-96-34) covering property located at 3445 North Stratford Road, N.E. ("Site") and other adjoining property encourages the development of a residential building on the Site ("Residential Building");

WHEREAS, a Sewer Services Agreement, dated November 26, 1997, entered into by the City of Atlanta and others, and authorized by Ordinance 97-O-1461, requires that "there shall be no sewer service capacity requirements or limitations in any building permit or certificate of occupancy issued by the City for any of the Developments," including the Residential Building;

WHEREAS, said Sewer Services Agreement also provides that:

"On and after the Date of this Agreement, the City and Developer shall, at the request of the other, make, execute and deliver or obtain and deliver all such certificates, resolutions and other instruments and documents, and shall do or cause to be done all such other things which any party may reasonably require to effectuate the provisions and the intention of this Agreement."

WHEREAS, this Ordinance is required to effectuate the provisions and intention of said Sewer Services Agreement;

WHEREAS, Ordinance 01-O-0240 imposes interim controls on sewer permits to the Indian Creek Highland Trunk sewer;

WHEREAS, the Georgia Environmental Protection Division has approved the construction of a flow equalization basin, lift station and force main ("Force Main") to handle wastewater from the Residential Building;

WHEREAS, the Force Main will be in the Stratford Road right-of-way and will connect with the sewer under Peachtree Road at a manhole located near the intersection of Peachtree Road and Stratford Road (believed to be Manhole 45-1-H);

WHEREAS, Section 154-144 of the Atlanta City Code requires that the Force Main be authorized by Ordinance.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement approving installation of the Force Main servicing the Residential Building at 3445 North Stratford Road, N.E., to be located within the Stratford Road right-of-way and connection of the Force Main to a manhole in Peachtree Road near the intersection of Peachtree Road and Stratford Road (believed to be Manhole 45-1-H), in order to handle wastewater from the Residential Building;

Section 2. Use of the Force Main by the Residential Building will be discontinued when the Nancy Creek Tunnel is completed and can accept wastewater from the Residential Building.

Section 3. Any ordinance or any part of any ordinance in conflict with the terms of this ordinance is hereby waived.

01-0-1891

(Do Not Write Above This Line)

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- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred

11/5/01

Referred To:

City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

MAYOR'S ACTION

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED